

ARIZONA DEPARTMENT OF AGRICULTURE

SUBSTANTIVE POLICY STATEMENT

PSD 5.13, Cotton Policies and Procedures

A.R.S. § 41-1091(B) Notice

This substantive policy statement is advisory only. A substantive policy statement does not include internal procedural documents that only affect the internal procedures of the agency and does not impose additional requirements or penalties on regulated parties or include confidential information or rules made in accordance with the Arizona administrative procedure act. If you believe that this substantive policy statement does impose additional requirements or penalties on regulated parties you may petition the agency under Arizona Revised Statutes section 41-1033 for a review of the statement.

**Arizona Department of Agriculture
POLICY AND PROCEDURE**

COTTON POLICIES & PROCEDURES

SECTION
5.00

CHAPTER
A

NUMBER 5.13

EFFECTIVE DATE 22 Nov 93

DIRECTOR'S SIGNATURE

A. Statutory Authority

Under ARS 3-201.1, 3-202, 3-204, 3-205 and AAC R3-4-204, the Director of the Arizona Department of Agriculture (ADA) has the authority to declare, inspect for and eradicate crop pest nuisances. Exhibit A

The following policies and procedures will be followed in the implementation of the Cotton Plower/Abatement Program:

B. Organizational Meeting

The Plower Implementation Plan, Exhibit B, will be reviewed and revised, if necessary, by ADA and Southwest Boll Weevil (SWBW) personnel by mid-October of each year. In this meeting, organizational roles will be defined and time frames for activities established. The plan will then be reviewed by the Associate Director for Plant Services, Cotton Council members and the Arizona Cotton Growers Association Executive Board.

C. Establishing Contract Tillage Fees

Pursuant to ARS 41-2501-T, on or before September 1st each year, the Director of ADA will establish and announce costs for each acre of cotton or cotton stubble to be abated by private contractors.

1. This will be in a memorandum, Exhibit C, drafted by the Integrated Pest Management (IPM) Specialist (Special Projects Coordinator) and sent by the IPM Program Secretary to the following for distribution and posting by September 1st:
 - a. ADA District Offices,
 - b. All Gins,
 - c. ASCS Offices,
 - d. ADA Director,
 - e. PSD Director,
 - f. PSD Interior Inspections Director,
 - g. PSD IPM Section Manager, and
 - h. SWBW main office.

2. A cover memorandum Exhibit D, accompanying Exhibit C, will be sent to all Plant Services inspectors in cotton growing areas explaining where Exhibit C should be distributed and posted.

D. Contract Tillage Bid Solicitation

Bids for tillage contractors will be solicited to cover each cotton growing county in the state by doing the following:

1. An ad, inviting bids for contract plowing, will be placed in one newspaper in Maricopa, Pinal, and Yuma counties prior to October 15th of each year. The ad will be run one (1) day. Exhibit E
2. A letter, with a Request For Quotation attached, will be sent to respondents to the newspaper ads. Exhibit F
3. A letter, with a Request For Quotation attached, will be sent to each contractor from the previous two (2) years, inviting them to renew their contracts. Exhibit G
4. Bids will be reviewed by the Director and IPM Specialist (Special Projects Coordinator).
5. The Director will award the contracts.
6. Letters will be sent to successful bidders informing them of their contracts. Exhibit H
7. Letters will be sent to unsuccessful bidders informing them that they were not awarded a contract at this time. Exhibit I

E. Training Of Personnel

1. A training session for inspectors participating in the Cotton Plover/Abatement Program will be held by October 1st, with field training following by November 1st.

2. Training will be conducted by both ADA and SWBW personnel and will include the following:

- a. Field certification,
- b. Forms,
- c. Abatement process,
- d. Legal descriptions, and
- e. Map reading.

F. Data Collection In All Counties Except Cochise, Graham And Greenlee

1. SWBW personnel have the overall responsibility for the collection of data needed for the program except in Cochise, Graham and Greenlee counties. (Refer to section G) Data required by ADA inspectors for completion of abatements, except land ownership, will be forwarded by SWBW to the IPM Specialist (Special Projects Coordinator) by November 1st for Yuma County and on or before December 1st for the remainder of the state, for dispersal to the appropriate ADA districts. This data will include:

- a. ASCS farm number,
- b. ASCS field number or SWBW field number,
- c. Grower's name and address, and
- d. SWBW field maps. Exhibit J

2. Upon receipt of the above data, it will be the responsibility of the ADA inspectors assigned to the program, to familiarize themselves with the field locations in their respective areas and to do the following:

- a. Fields will be checked, on a weekly basis, thirty days prior to the appropriate tillage due date, to monitor the progress of the grower,
- b. Fields which, in the opinion of the inspector, will not be in compliance by the appropriate tillage due date will have their ownership researched and verified by one or more of the following:

- i. ASCS field offices,
- ii. Appropriate County Assessors office,
- iii. A local cooperative Title Insurance company,
- iv. Aerial photography maps and microfiche located in the IPM Specialist (Special Projects Coordinator's) office.

c. Abatements written on those fields which obviously will not be in compliance on the due date. (Refer to section I.3.)

3. In the event ADA personnel become involved with data collection, a complete legal description, including section, range and township, must be written prior to contacting ASCS. It would also be helpful to have your SWBW field maps with you.

4. Data to be obtained from ASCS offices will include:

- a. ASCS farm number,
- b. ASCS field number, which will later be converted to the corresponding SWBW field number, and
- c. Grower's name and address.

G. Data Collection In Cochise, Graham And Greenlee Counties

1. ADA personnel have the responsibility for the collection of data needed for the program because these counties do not have a refundable bale assessment and do not participate in the Plower Program. The following information will be collected:

- a. Land owner's name and a complete mailing address,
- b. Growers name and address, and
- c. A complete legal description of the fields.

2. Monitoring of fields in these counties by ADA personnel will begin a minimum of thirty (30) days prior to the tillage due date. Refer to R3-4-204, E.1.b. and E.3.

H. Personnel Assignments

1. SWBW personnel are responsible for the Plower portion of the program, although ADA personnel may be brought in if the work load dictates. The IPM Specialist (Special Projects Coordinator) will make the assignments of ADA personnel if this becomes necessary.
2. ADA personnel, as designated by the IPM Specialist (Special Projects Coordinator) will be responsible for the abatement portion of the program.
3. Thirty days prior to the first tillage due date, ADA and SWBW representatives will meet to review the program's progress. These meetings will then be held weekly. At these meetings, it will be determined if:
 - a. modification of the assignment schedule will be necessary, and
 - b. at what point in time, ADA inspectors will begin working on abatement documentation.

I. Grower Request Line

A toll-free line (1-800-531-2223) has been established by ADA for growers to call requesting inspection and certification of their fields. All incoming calls are recorded and the following information is taken by the IPM Program secretary and then forwarded to the SWBW main office:

1. Grower's name, address and phone number,
2. ASCS farm number,
3. County where the farm is located,
4. What they are requesting, and
5. Whether or not the grower intends to follow the cotton crop with another crop, such as grain.

J. Inspection and Certification of Fields

SWBW personnel are responsible for this portion of the program. In the event a need arises for ADA personnel to become involved, it will be the responsibility of the ADA inspectors assigned to the program, to familiarize themselves with the SWBW Flower Implementation Plan, section IV, covering Inspection and Certification.

K. Conflict Between Grower and Inspector

In addition to the guidelines in Exhibit A, SWBW Flower Implementation Plan, section V, the following will apply:

1. The SWBW Program Manager or the designated ADA personnel, as assigned by the IPM Specialist (Special Projects Coordinator), called in to resolve the conflict will arrange to meet with both the grower and inspector at the field(s) in question.
2. All sides of the field(s) will be checked and a diagonal line walked from one end to the other except in cases where only a portion of the field is in conflict.
3. Close-up photographs of the area out of compliance will be taken and the following information will be documented on the photographs:
 - a. Date,
 - b. Time of day,
 - c. Location, including a complete legal description,
 - d. That portion of the field represented in the photograph, and
 - e. The initials of the inspector(s).
4. Immediately following the meeting, the SWBW Program Manager or the designated ADA personnel and the inspector will write a detailed report which will include the following:

- a. ASCS farm number,
 - b. SWBW field number,
 - c. Grower's name and address,
 - d. Why the field is out of compliance, and
 - e. What was said and or decided.
5. A copy of the report, as outlined in K.4, will be forwarded to the IPM Specialist (Special Projects Coordinator) as a permanent part of the file referred to in M.16.

L. Farms Not In Compliance

1. SWBW personnel will forward all pertinent information to ADA inspectors on fields out of compliance approximately two (2) weeks prior to the tillage due date.
2. SWBW personnel, with surveyors in their vehicles, will be available to assist ADA personnel if needed, in measuring large acreage.
3. ADA inspectors will draft an Order Of Abatement Of Public Nuisance, Dangerous Crop Pest (ADA-PSD 0096), Exhibit K, on each field out of compliance, and then forward it to the IPM Program secretary as soon as they are completed. The secretary will:
 - a. Review and type the abatement,
 - b. Enter it on the Abatement Log (ADA-PSD 0098) Exhibit L, and
 - c. Obtain the Director's signature.
4. The completed and signed Order Of Abatement Of Public Nuisance, Dangerous Crop Pest, will be sent by the IPM Program secretary, to the district, in which the owner of the property lives, for service.
5. All fields out of compliance will be checked by SWBW personnel on the day after the tillage due date and this information will be forwarded to the IPM Specialist (Special Projects Coordinator).

6. ADA inspectors will serve an order Of Abatement Of Public Nuisance, Dangerous Crop Pest, on the day after the tillage due date, on those fields still out of compliance. (See section M)
7. ADA personnel, as designated by the IPM Specialist (Special Projects Coordinator) will be available, upon request, to make judgement calls on marginal fields.

M. Abatement And Collection

Five cultural zones have been established in the state. For boundaries, exceptions and tillage due dates, refer to R3-4-204.E. In the abatement and collection process, the following will apply:

1. An Order Of Abatement Of Public Nuisance, Dangerous Crop Pest will be served to the owner of the property, on all field(s) out of compliance, on the day after the tillage due date. Service of the abatement will be done by one of the following:
 - a. In person, or
 - b. If the owner(s) cannot be found or if the owner(s) lives out of state, the Order Of Abatement Of Public Nuisance, Dangerous Crop Pest will be published one (1) time in a newspaper in the County where the field is located and posted at, on, or in the immediate vicinity of the field. A Notice of Publishing will need to be completed at the time of publishing.
Exhibit M
2. The inspector will monitor, on a weekly basis, all fields on which abatements were served, to verify that work is being done to bring the fields into compliance.
3. The inspector will make at least one (1) verbal attempt to advise the owner(s) of any field(s) out of compliance of when ADA plans on entering their field(s) to abate the nuisance.

4. The inspector will inform the IPM Specialist (Special Projects Coordinator) of any fields where the owner(s) has failed to initiate abatement within the time frame and direction as specified in the Order Of Abatement Of Public Nuisance, Dangerous Crop Pest. The inspector will assist the IPM Specialist (Special Projects Coordinator) or other designated ADA personnel in compiling the information needed, as outlined in M.5.
5. The IPM Specialist (Special Projects Coordinator) will advise the chairman of the Cotton Council of ADA's intentions to abate the nuisance and to verify that the required funds will be available from the Council. The following information will be supplied to the chairman:
 - a. Grower's name,
 - b. Property owner's name,
 - c. Proposed date of entering the field,
 - d. Condition of the field,
 - e. Total number of acres,
 - f. Cost per acre, and
 - g. Total cost to bring the field into compliance.
6. When approval is given to abate the nuisance and Council funds are verified, the IPM Specialist (Special Projects Coordinator) or other designated ADA personnel will make arrangements with the district director and the contractor to abate the nuisance.
7. One to two (1-2) days prior to entering the field to abate the nuisance, the district will contact the local Justice of the Peace (JP) and sheriff's office to inform them of the situation. The following will be supplied to both:
 - a. A copy of ARS 3-201.1, 3-204 and 3-205, with the appropriate areas highlighted, Exhibit N,
 - b. A copy of AAC R3-4-204, with the appropriate areas highlighted, Exhibit O, and
 - c. A copy of the appropriate Notice and Direction to Abate, with the service information attached.

8. An ADA inspector will accompany the contractor to the field. The inspector will make copies of the abatement notice available to the contractor and each of the equipment operators.
9. An ADA inspector will be on site, with the contractor, at all times to:
 - a. verify the field location,
 - b. monitor the progress,
 - c. insure proper equipment is being used,
 - d. insure proper tillage is being achieved, and
 - e. measure the acres completed.
10. When a hostile situation is suspected, it is recommended the local sheriff's office be contacted and asked to send a deputy to accompany the contractor and inspector into the field.
11. Upon completion of the abatement, the inspector and contractor will agree on the acreage and a list of the equipment and services used to bring the field into compliance. The inspector will instruct the contractor to send the statement of services to the IPM Specialist (Special Projects Coordinator).
12. The IPM Specialist (Special Projects Coordinator) or other designated ADA personnel will contact the inspector to verify the information on the statement of services as supplied by the contractor in M.11.
13. The IPM Specialist (Special Projects Coordinator) or the IPM Program secretary will verify the figures and prepare the purchase orders for processing. In addition, they will assist ADA's accounting department in preparing files and sending billing statements, for 150% of the costs, to owners of property(s) which were abated by ADA.

14. The IPM Program secretary will prepare a Notice and Claim of Lien (ADA-PSD 0062), Exhibit P, on all properties where the owner(s) does not refund ADA 150% of the abatement costs, using the following guidelines:

- a. The Notice will be completed using information from the appropriate abatement,
- b. The Director's signature in two places,
- c. Copies made for the ADA file as outlined in M.16., and log the name, date and Notice number,
- d. PSD's Associate Director's Administrative Assistant III, will:
 - i. notarize the Notice,
 - ii. prepare a check for the appropriate county's recording fees (the individual county's recording fees will need to be verified), and
 - iii. provide a postage stamp as outlined in M.14.e.iv.
- e. The IPM Program secretary will mail to the County Recorder, in the appropriate county, the following:
 - i. Originals of the Notice which have original signatures and notary seals,
 - ii. a copy of the corresponding Order Of Abatement Of Public Nuisance, Dangerous Crop Pest,
 - iii. a check, for the appropriate recording fees, and
 - iv. an ADA, self-addressed, stamped (not metered) envelope for return.
- f. When ADA receives the county-recorded Notice, copies will be hand delivered to the Arizona Attorney General Tax Division office.

15. When the Notice and Claim of Lien is paid, the IPM Program secretary will prepare a Release of Lien (ADA-PSD 0097), Exhibit Q, using the following guidelines:

- a. The Release will be completed using information from the corresponding Notice and Claim of Lien and will include the Docket number and Page number from the officially recorded copy of the Notice and Claim of Lien.
- b. A folder will be prepared for the Director to review, prior to his signing the Release, which will include the following:
 - i. the original copy of the Release,
 - ii. a copy of the statement of services from the contractor,
 - iii. a copy of the signed and served Order Of Abatement Of Public Nuisance,
 - iv. a statement (bill) from ADA's Accounting Department, and
 - v. a copy of the canceled check to show the lien was paid.
- c. PSD's Associate Director's Administrative Assistant III, will:
 - i. notarize the Release,
 - ii. prepare a check for the appropriate county's recording fees (the individual county's recording fees will need to be verified), and
 - iii. provide a postage stamp as outlined in M.15.d.v.
- d. The IPM Program secretary will mail the following to the appropriate County Recorder's office:
 - i. the original, notarized Release,
 - ii. ADA's check for the appropriate recording fees,
 - iii. a copy of ADA's Accounting Department's statement (bill) showing it was paid,
 - iv. a copy of the contractor's statement of services, and
 - v. an ADA, self-addressed, stamped (not metered) envelope for return.

- e. When ADA receives the county-recorded Release, copies will be mailed to the Attorney General's Tax Division office.

16. The IPM Specialist (Special Projects Coordinator) or IPM Program secretary will keep a file on all properties abated. The file will include but not be limited to the following:

- a. A copy of the abatement, with Notice of Service and/or Notice of Publishing attached,
- b. A copy of the contractor's billing statements,
- c. Related maps,
- d. Related photographs,
- e. Related reports,
- f. A copy of the Notice and Claim of Lien, if applicable,
- f. A copy of the Release of Lien, if applicable, and
- g. Any other item that might be deemed pertinent.

CHAPTER 2

REGULATORY PROVISIONS

ARTICLE 1. DANGEROUS PLANT PESTS AND DISEASES

3-201. Definitions

In this article, unless the context otherwise requires:

1. "Associate director" means the associate director of the division.

2. "Crop diseases" includes all fungus, bacteria, virus or other organism of any kind and any unknown cause which is or may be found to be injurious, or likely to be or to become injurious to any domesticated or cultivated plant, or to the product of any such plant.

3. "Crop pests" includes all noxious weeds, insects, mites, spiders, nematodes and other animal or plant organisms found injurious, or likely to be or to become injurious, to any domesticated, cultivated, native or wild plant, or to the product of any such plant.

4. "Division" means the plant industries division of the Arizona department of agriculture.

5. "Noxious weed" means any species of plant which is, or is liable to be, detrimental or destructive and difficult to control or eradicate and shall include any species that the director, after investigation and hearing, shall determine to be a noxious weed.

6. "Nursery stock" includes all trees, shrubs, vines, cacti, agaves, succulents, herbaceous plants whether annuals, biennials or perennials, bulbs, corms, rizomes, roots, decorative plant material, flowers, fruit pits or seeds, cuttings, buds, grafts, scions and other plants intended for sale, gift or propagation, either cultivated or collected in the wild, except seeds as defined by article 2 of this chapter.

7. "Plant" includes every kind of vegetation, wild or domesticated, and any part thereof, as well as seed, fruit or other natural product of such vegetation.

8. "Shipment" includes anything brought into the state or transported within the state which may be the host or may contain or carry or may be susceptible of containing, carrying or having present on, in, or about it any plant pest or plant disease.

3-201.01. Associate director; powers and duties

A. The associate director may, as authorized by the director:

1. Deal with noxious weeds, crop pests and diseases, and with all plants infested or infected with crop pests or diseases, or which are the host or carrier or the means of propagating or disseminating a crop pest or disease.

2. Enforce all rules and orders necessary to carry out the purposes of this article:

(a) To prevent introduction of a crop pest or disease into the state.

(b) To prevent propagation or dissemination of a crop pest or disease from one locality to another in this state.

(c) To control, eradicate or suppress a crop pest or disease.

(d) Which fix the terms and conditions on which plants or any other article or thing of any nature whatever likely to be infested or infected with or be the carrier of, or the means of propagating or disseminating, a crop pest or disease which may be shipped or brought into this state, or moved from one locality or place to another locality or place in this state.

(e) Which prohibit plants or things likely to be infected with, be the carrier of or the means of spreading, propagating or disseminating a crop pest or disease from being shipped or brought into this state or moved from one locality to another in this state.

3. Cooperate with the United States secretary of agriculture and his representatives in interstate matters pertaining to the objects of this article.

4. Proceed according to law to abate any public nuisance prohibited by this article.

B. The associate director shall:

1. Keep the director informed concerning dangers to the agricultural and horticultural interests of this state from noxious weeds, crop pests and diseases.

2. Faithfully enforce and execute all rules and orders of the department pertaining to the division, using all necessary and proper means including court action.

3. Prepare and have printed at least once each year bulletins containing such information as the assistant director deems proper and the current rules and orders of the department and mail copies to various agricultural organizations and carriers transporting plants and other agricultural products into or in this state.

4. Enter in or on any premises or other place, train, vehicle or other means of transportation in or entering this state which is suspected of containing, harboring or having present one or more noxious weeds, crop pests or diseases.

5. Make inspections to determine if a noxious weed, crop pest or disease is present.

6. Open, without unnecessary injury to property, any box, container or package at any time during business or operating hours, and, after notifying the owner or person in charge, if he is found in the county, open any car, enclosure or building which the assistant director suspects contains, harbors or has present a noxious weed, crop pest or disease, and examine and inspect the contents as may be necessary to determine if a noxious weed, crop pest or disease is present.

7. If in performing his other duties he determines that plant materials inspected and being delivered or transported or shipped by mail or courier are dead, dying or otherwise inferior in quality, mark the plant or package, or both, advising the recipient and sender that, in the judgment of the assistant

director, the plant materials were found to be dead, dying or of inferior quality. This paragraph does not authorize the associate director to perform inspections solely for the purposes set forth in this paragraph.

C. The associate director, with the approval of the director, may employ one or more entomologists who are qualified by scientific training or practical experience.

D. The director may assign personnel from the office of inspections to perform any of the inspection-related activities prescribed by this chapter under the direction of the associate director.

E. The director shall establish and collect a variable fee for each special nursery certification inspection based on a schedule of costs for services, including costs per hour, per mile or per unit or otherwise as may be appropriate to recover the actual and direct costs incurred by the division, but not to exceed fifty dollars for each inspection.

3-202. Infested or infected plants as public nuisances

All plants, soil and other things found infested or infected with a crop pest or disease or which are the host or carrier or means of disseminating or propagating a crop pest or disease is declared a public nuisance, and may be abated, suppressed, controlled or regulated as provided in this article and by the rules and orders of the director.

3-203. Quarantine of infected and diseased plants; notice

A. When a plant or other thing is found infested or infected by or to contain or harbor a crop pest or disease, the director shall place thereon a written warning or notice, stating:

1. That the plant or thing is held under quarantine by the department.

2. That all persons are forbidden to remove or otherwise disturb the plant or thing pending further action by the department.

B. The director shall, as soon as practical, notify in writing the owner or person in charge of the plant or thing, if he can be found within the county, of his finding the crop pest or disease, stating the name thereof, and giving a sufficient description of the plant or thing by name, location or otherwise in order that it may be readily identified.

3-204. Summary abatement of imminently dangerous nuisance; procedure; expense; lien; public sale; reimbursement to state for certain abatements

A. If, in the opinion of the director, the danger to the agricultural and horticultural industry of the state is imminent if the nuisance caused by a plant or thing is not speedily abated or suppressed, and if he finds it is practical to summarily abate the nuisance, either by the destruction of the plant or thing or by the treatment thereof so as to destroy or eradicate the crop

pest or disease without actually destroying the plant or thing, the director shall in writing direct the owner or person in charge of the nuisance, if he is found in the county, forthwith and at his expense to abate and suppress the nuisance in the manner provided in the written direction. If the owner or person in charge fails or neglects to comply with the direction for a period of five days after the date on which the direction was delivered to or served upon him, then the director shall summarily abate the nuisance in the manner specified in the written direction.

B. If the owner or person in charge or control of the nuisance is a nonresident of the state or cannot, after reasonable diligence by the director, be found within the county where the nuisance exists, the director shall publish the notice and the direction one time in a newspaper published in the county, and shall post a copy at, on or in the immediate vicinity of the nuisance, and after seven days from the first publication and posting, the director shall abate the nuisance in the manner specified in the direction.

C. If the nuisance is abated by the director the expense shall be borne by the state, but, when the abatement does not involve the destruction of the plant or thing and it has some value after the crop pest or disease has been eradicated, then the state shall have a first claim and lien thereon for the payment of expenses incurred in the abatement of the nuisance.

D. The director shall notify the owner or person in charge or control of the nuisance of the amount of the expenses, and that unless the amount is paid within ten days after the date of service of the notice upon the owner or person in charge, the plant or thing will be sold at public sale, and the proceeds, or so much thereof as may be necessary, applied to the payment of the expenses. The notice shall be personally served or posted as required in this section for notices to abate.

E. If the owner or person in charge of the plant or thing fails to pay the expenses within the time specified in the notice, the director shall give public notice of the time and place of sale with a description of the plant or thing to be sold, and the amount of expenses against it, which shall include costs of publication, posting and service of notice. The notice of sale shall be published and posted as provided in this section for the publication and posting of direction to suppress the nuisance.

F. The owner or person in charge of a plant or thing constituting the nuisance may waive in writing the service of all directions and notices in connection with the abatement or sale thereof.

G. If the director is required to abate the nuisance of cotton or cotton stubble which is not destroyed before a date established by the director or is required to abate the nuisance of cotton planted before a date established by the director, unless the director waives such dates due to variations in weather conditions, following the refusal by the owner or person in charge or control of the nuisance to do so, the owner or person in charge or control of the nuisance shall reimburse the department for one hundred fifty per cent of the costs of the state's abatement of the nuisance. An injunction shall not be granted to stay this state

from abating the nuisance. If the owner or person in charge fails to pay the amount required to be reimbursed to the director under this subsection within ten days after the owner or person in charge receives notice of the amount of the costs, the director shall prepare and file or record in the office of the county recorder of the county where the land is situated a notice of lien, setting forth the amount of the unpaid costs and the name of the owner or person in charge, and upon such recording, the amount required to be reimbursed becomes a lien on the land subordinate only to any lien for state and local taxes.

3-205. Abatement of nuisance not imminently dangerous; procedure; lien; foreclosure; release of lien; reimbursement to state for certain abatements

A. If the director believes the danger to the agricultural and horticultural industry is not imminent, or if impractical for any reason to summarily abate the nuisance, as described in sections 3-203, 3-204, 3-206 and 3-207, the direction shall not require summary destruction or eradication, but shall set forth the measures required to be taken by the owner or person in charge to control, suppress or eradicate the danger, and shall require the person, at his expense, to take and comply with the measures specified in the direction and subsequent directions.

B. The directions shall be made, given and served as prescribed for summary abatement, and if they are not complied with, the director may proceed as provided by the directions, and the expense shall be charged against the state.

C. If the plant or thing constituting the nuisance consists only of personalty, and is not attached to land or contained in a building, enclosure, vehicle or place belonging to the person, the state shall have the same lien and it is enforceable in the same manner as provided for summary abatement of the nuisance.

D. If the plant or thing is attached to land, or contained in a building, enclosure or vehicle which is the property of the person, then the lien shall also attach to the land, building, enclosure or vehicle, and the director shall prepare and file in the office of the county recorder where the property is situated a notice of the lien, setting forth the amount and the name of the owner or person in charge, and stating that the amount of the lien shall be paid within thirty days from filing the notice, or otherwise the property will be subjected to payment thereof.

E. The lien shall be prior to all other liens against the property except liens for state and county taxes. If the amount of the lien is not paid within the thirty days, the county attorney shall, on written request of the director, foreclose the lien against the property impressed therewith as other liens are foreclosed.

F. Upon satisfaction of the lien, the director shall issue a release of the lien to the person against whom the lien was claimed. Such release shall be a document in a form as specified in section 11-480.

G. If the director is required to abate the nuisance of cotton or cotton stubble which is not destroyed before a date established by the department or is required to abate the nuisance of cotton planted before a date established by the department, unless the director waives such dates due to variations in weather conditions, following the refusal by the owner or person in charge or control of the nuisance to comply with the director's directions pursuant to this section, the owner or person in charge or control of the nuisance shall reimburse the director for one hundred fifty per cent of the costs of the state's abatement of the nuisance. An injunction shall not be granted to stay this state from abating the nuisance. If the owner or person in charge fails to pay the amount required to be reimbursed to the director under this subsection within ten days after the owner or person in charge receives notice of the amount of the costs, the director shall prepare and file or record in the office of the county recorder of the county where the land is situated a notice of lien, setting forth the amount of the unpaid costs and the name of the owner or person in charge, and upon such recording, the amount required to be reimbursed becomes a lien on the land subordinate only to any lien for state and local taxes.

Amended 4-24-94

ARIZONA DEPARTMENT OF AGRICULTURE

CHAPTER 4. PLANT SERVICES DIVISION
ARTICLE 2. QUARANTINE REGULATIONS

R3-4-204. Pink bollworm and the cotton boll weevil complex

- A. Definitions. In addition to the definitions provided in A.R.S. § 3-201 and R3-4-102, the following shall apply to this rule:
1. "Crop remnant" means the stalks, leaves, bolls, lint, pods and seeds of cotton.
 2. "Pests" means the pink bollworm, *Pectinophora gossypiella* (Saunders), and the boll weevil complex, *Anthonomus grandis* Boheman complex.
 3. "Stub or soca cotton" means those cotton stalks of a previous crop which begin to show signs of growing by displaying buds which swell, or which send out shoots of plant growth (either white or green).
 4. "Volunteer cotton" means sprout from seed of a previous crop.
- B. Covered commodities. The following items are designated as a host plant or carrier of the pests:
1. Cotton, all parts;
 2. Cotton gin trash;
 3. Used cotton harvesting machines;
 4. Other materials, products and equipment which are means of disseminating or proliferating the pests.
- C. Processing of cotton gin trash. Trash from cotton gins operated within the state shall be destroyed daily by using a disposal fan as prescribed by the United States Department of Agriculture Domestic Program Manual, M301.52 Regulatory Procedures (III)(C)(4), revised December 1979. The material incorporated herein by reference does not include any later amendments or editions of the incorporated matter and is on file with the Office of the Secretary of State.
- D. Movement of covered commodities within the state.
1. No covered commodity produced or located within an area infested with the pests may be moved out of that area unless a permit is issued by the Director. Persons intending to move, transport, or allow the movement of host plants or carriers shall make application to the Department before the date of movement or shipment. The application shall contain the following:
 - a. The quantity of the article to be moved;
 - b. The location of the article;
 - c. The names and addresses of the consignee and consignor;
 - d. The method of shipment; and
 - e. The scheduled date of the shipment.
 2. Permits shall be attached to the manifest, waybill or bill of lading covering the shipment and shall accompany the shipment. Permits shall specify the manner of handling or treating the host plant or carrier. Any treatment pertaining to pink bollworm prescribed by the United States Department of Agriculture Plant Protection and Quarantine Treatment Manual, Treatment Schedule Series T200, T300 and T400, revised November 1992, which is applied under official supervision, is hereby prescribed for treating like commodities under the provisions of this rule. The material incorporated herein by reference does not include any later amendments or editions of the incorporated matter and is on file with the Office of the Secretary of State.
- E. Cultural practices.
1. There are six cultural zones established in the State:
 - a. Zone "A" -- Yuma County west of a line extended directly north and directly south of Avenue 58E.
 - b. Zone "B" -- Cochise County, Graham County and Greenlee County.
 - c. Zone "C" -- La Paz County (except the Cibola Valley) and Mohave County.
 - d. Zone "D" -- Pima County and the following portions of Pinal County: T10S, R10E, section 34, 35 and 36, T10S, R11E, section 31, and the Aguila area T7N, R8W and T7N, R9W and T7N, R10W and T7N, R11W to the western boundary of section 35, 26 and 23.
 - e. Zone "E" -- The following portions of La Paz County: Cibola Valley T1N, R23W and T1N,

R24W and T1S, R23W and T1S, R24W.

- f. Zone "F" — All portions of the State not included in Zones "A", "B", "C", "D", and "E".
 2. No stub, soca or volunteer cotton shall be grown in or allowed to grow in the state. The elimination of stub, soca, or volunteer cotton found growing shall be the responsibility of the landowner.
 3. Except as provided in paragraph (E)(4), the crop remnant of the host plant remaining in the field after harvest shall be shredded and the land tilled to destroy the host plant and its root system with no stalks remaining attached to the soil, and to incorporate plant debris within the soil prior to the following dates or prior to planting another crop, whichever occurs earlier: Zone "A", December 15; Zone "B", February 15; Zone "C", January 15; Zone "D", February 1; Zone "E", December 31; Zone "F", January 15.
 4. In lieu of the required tilling under paragraph (E)(3), the crop remnant remaining in the field after the harvest season shall be shredded and the land disked and cross-disked to a depth of four inches or more to destroy the plant material by the dates specified in paragraph (E)(3). The land shall be irrigated and planted to a crop other than cotton prior to the following dates: Zone "A", December 30; Zone "B", March 1; Zone "C", January 30; Zone "D", February 16; Zone "E", January 15; Zone "F", January 30.
 5. The earliest planting dates for cotton shall be the following: Zone "A", February 15; Zone "B", April 1; Zone "C", March 15; Zone "D", April 1; Zone "E", March 1; Zone "F", March 15; however growers using the practice of dry planting shall be allowed to plant ten days prior to the planting date for this zone, but not water until the planting date.
 6. An agent of the Department shall give written notice to any landowner found in violation of subsection (E). The processes set forth in paragraphs (3) and (4) shall be repeated, as necessary, to destroy the pests.
- F. Advisory Committee. The Department shall appoint an advisory committee consisting of one representative from each of the following organizations to make recommendations to the Department by June 30 of each year, on needed amendments to this rule:
1. The Arizona Cotton Growers Association;
 2. The Arizona Farm Bureau Federation;
 3. The University of Arizona Experiment Station;
 4. The University of Arizona Extension Service;
 5. USDA-Research;
 6. USDA-APHIS;
 7. The Arizona Department of Agriculture; and
 8. A grower from each of the six zones.

1994/1995 PLOWER PROGRAM / ABATEMENT IMPLEMENTATION

SECTION I - ORGANIZATIONAL MEETING

A joint meeting including Southwest Boll Weevil (SWBW) and Arizona Department of Agriculture (ADA) personnel will be held in Phoenix, no later than mid-October of each year. The Plower Program will be reviewed, organizational roles will be defined and time lines for activity will be established.

SECTION II - DATA COLLECTION

To be carried out by SW Boll weevil personnel. A cooperative program between SWBW and ASCS has made computerized data sharing possible. This should reduce SWBW on site activities at ASCS offices by up to 75 percent, since only changes in farm status (i.e. recons and within farm field changes) would be addressed on an annual basis.

SECTION III - PERSONNEL ASSIGNMENTS

Southwest Boll Weevil personnel will handle the PLOWER portion of the program. Assignments will primarily be based on SWBW geographical work unit designations. Reassignments will be made as changes in work load necessitate.

Arizona Department of Agriculture inspectors will handle the abatement portion of the program. All assignments in this area of responsibility will be made by the IPM Specialist, Special Projects Coordinator.

Thirty days prior to plow-up due date ADA and SWBW representatives will meet to review PLOWER program progress. Weekly update meetings will be held and will include Larry Antilla, Program Co-Ordinator; Executive Consultant, Field Operations Manager (SWBW); and the IPM Specialist, Special Projects Coordinator (ADA).

At these meetings, it will be determined if 1) any modification of the assignment schedule listed above will be necessary and 2) at what point in time ADA inspectors will need to begin working on abatement documentation.

SECTION IV - INSPECTION & CERTIFICATION

1. a. SWBW Trappers will report disked/plowed fields utilizing bar code scanners as under current procedure (crop stage 92). See crop stage codes (attachment #1).

- b. The SWBW supervisor will inspect the fields and report them as crop stage 99 (verified in compliance) or 95 (verified not in compliance) using the bar code scanners.
2. The grower must call the ADA 800 number located at the offices of IPM Specialist, Special Projects Coordinator and Valu Henderson to request verification of compliance or risk losing the rebate (see Section VI). The certification request is then forwarded to the SWBW main office.
 3. After the certification request is received, SWBW will access their files and generate a Field Verification Form (attachment #3) and distribute it to the designated field offices for appropriate action. The SWBW Supervisor will contact the grower to verify all field information for each farm number.

In the event that the telephone log indicates fields followed by a second crop, a notation will be made on the Field Verification Form by the SWBW office.

4. When a farm has been verified by a SWBW supervisor as being in compliance, the grower will be sent a certification letter confirming his call and verifying compliance (attachment #2). A copy will be retained at the SWBW Office.

The certification letter for each farm number will contain a unique certification number. Based on a financial option now available to gins, growers in compliance may present their certification letter (numbers) to qualifying gins and have rebates released back to them (or credited) at the gin level. This will eliminate the lag period created during the 1991 PLOWER program due to a direct transfer of funds from the gins to ADA and then back to growers or financial institutions. The certification letter thus becomes the critical driving document in the process.

5. Field Verification Forms (attachment #3) from the supervisors will be sent daily to the SWBW main office.
6. If a field is not in compliance, the SWBW supervisor will send Field Verification Forms (attachment #3) to the SW Boll Weevil main Office, and also send the original of the Notice of Fields Not in Compliance Form (attachment #4) to the Az. Department of Agriculture, Headquarters Office, Attention: IPM Specialist, Special Projects Coordinator. A copy will be hand delivered to the grower or his representative and a third copy will be kept at the field office.
7. If the Field Verification Form indicates that cotton will be followed by a second crop, the SWBW supervisor will contact the grower for the exact location of the fields. All fields

the grower intends to follow with grain or other crop will be reported as 98 and

reinspected after the due date.

8. If stubbing occurs after the fields are certified and before plow-up due date, the SWBW supervisor will issue a Notice of Fields Not in Compliance Form advising the grower of the problem and the conditions for compliance. A copy will be hand delivered to the grower or his representative. A copy will be retained at the field office, and the original will be sent to the Az. Department of Agriculture, Attention: IPM Specialist, Special Projects Coordinator.
9. On plow-up due date for each geographical area, all requests for plow-up verification will be drawn by lottery for sequence of inspection. When driving between lottery numbered fields, all of the fields between inspection points will be inspected. Any grower with fields not in compliance at the time of inspection, will lose their rebate regardless of their sequence in the lottery. All requests will be considered to meet the deadline date, provided they are in compliance at the time of inspection.

SECTION V - CONFLICT BETWEEN GROWER & INSPECTOR

- * If a conflict occurs between the SWBW supervisor and the grower, the Executive Consultant, Field Operations Manager, SWBW will be contacted, and if he is not available, contact Larry Antilla or the IPM Specialist, Special Projects Coordinator.
- * Program managers will attempt to resolve the issue between the grower and the supervisor. Photos of the area of non-compliance or conflict will be taken by the supervisor. These photos will be used for presentation to the Director of ADA.
- * If they are unable to resolve the conflict, the grower will be advised in writing of how and where he can appeal to the Director of ADA (attachment #5 and #5a).
- * The Director of ADA may appoint the members of ACRPC as an Advisory Committee to establish guidelines and make recommendations to the Director. The Director has final authority.
- * When appeals hearings are conducted, representatives of the SWBW and ADA may be asked by the Director to attend and provide supportive documentation or testimony.

SECTION VI - GROWER REQUEST LINE

- * The 800 request line will be established by ADA for growers to call to request verification and assistance on proper plow up requirements. All incoming calls will be recorded by ADA. Verification inspection requests will be faxed to SWBW daily. A telephone log will be maintained by ADA on all calls received. (Attachment #6). This line is available 8:00 a.m. -4:30 p.m. Mon-Fri, not including holidays.

- * All growers must request certification of compliance to qualify for rebate.
- * ADA will ask each grower when they call in for certification if they intend to follow cotton with another crop, such as grain (see attachment #6).

SECTION VII - FARMS NOT IN COMPLIANCE

- * All farms not in compliance on plow-up due date will lose their total bale assessment on all fields on the ASCS Farm Number.
- * ADA Inspectors will forward complete and legal abatement notices to ADA Director 5 working days prior to plow-up due date.
- * ADA Inspector will be prepared to abate all fields as soon as legal approval is received (in most cases, this is two weeks).
- * ADA and SWBW will determine the funds available and the number of acres that can be abated.
- * ADA will initiate lien action on all abated land that has not paid the 150% abatement charge within 10 days of receipt of invoicing by the landowner.
- * After review by ADA, all uncollectible abatement invoices will be turned over to the State Attorney General or other collection agency for collection.
- * SWBW surveyors will be available for assistance in acreage measurement. These surveyors will be calibrated every 3,000 miles by the operator and documented in a Vehicle Log or Day Book.

SECTION VIII - FIELDS IN COMPLIANCE

The SWBW will generate a computer form letter to the grower advising him that his fields are in compliance and he will either receive a rebate or have funds released at the gin level, provided there is no unabated regrowth (Attachment #2).

Where rebate funds have been withheld at the gin level, the Arizona Cotton Research & Protection Council Optional Withholding Election Ginning and Remittance Form (Attachment #7) shall be completed by the gin and submitted along with a check for the total combined amount of ACRPC fees (bales x \$1.75) and the rebates for any non-compliance growers (bales x \$3.25) to the ADA for the ACRPC account.

For gins choosing the option of remitting the total amount of the \$5.00 bale assessment, grower rebates, where applicable, will be made, beginning on 02/15/95, based on bales reported by the gin for each ASCS farm number. In this case, the following procedure will continue to apply:

The Finance Section of ADA will provide SWBW a copy of the ginning and remittance report as they are received, on the number of bales reported by gin, by grower ASCS farm number.

The SWBW Program will issue vouchers to ADA for payment of rebates beginning on Feb. 15, each year on all farms certified (attachment #8), provided the money has been released by the gins to ADA.

The ADA Finance Section will issue checks as the vouchers are received (three part voucher copies). A copy of the voucher will be attached to the check. The second copy will be kept at the Accounting Office, and the third will be sent to the SWBW main office.

Financial organizations may request assignment on all rebates. The assignments must be completed and forwarded to the SWBW main Office at the time of loan approval.

SECTION IX - INFORMATION PROGRAM

- * At least one ACGA Newsletter will be sent to all growers.
- * At least one ADA newsletters will be sent to all growers. This should be sent prior to November 01. Address labels for this mailing will be provided by SWBW.

SECTION X - EXEMPT COUNTIES

- * The counties of Graham, Greenlee and Cochise are not included in the PLOWER program, however abatements will be carried out as in the past.



Arizona Department of Agriculture

1601 North 7th Street, Phoenix, Arizona 85006
(602) 407-2811 FAX (602) 407-2819

OFFICE OF DIRECTOR

October 7, 1994

Dear Cotton Grower:

REMINDER: YOU MUST CALL 1-800-531-2223 TO RECEIVE YOUR REBATE.

Listed below are the steps necessary for you to receive the \$3.25 per bale rebate.

- 1) Have all of your fields in compliance prior to the tillage due date for your area.

The cotton Tillage due dates are listed below:

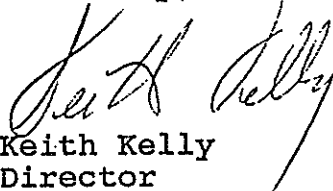
Yuma County West of Ave 58 E. - December 15; Cochise, Graham & Greenlee Counties - February 15; Pima County and the following portions of Pinal County: T10S, R10E, section 34, 35 and 36, T10S, R11E, section 31, and the Aguila area T7N, R8W and T7N, R9W and T7N, R10W and T7N, R11W to the western boundary of section 35, 26 and 23. - February 1; Cibola Valley in La Paz County. - December 31; All other areas of the State - January 15.

- 2) Call 1-800-531-2223 for an Inspector to certify that all the fields in your farm are in compliance. Please make your call as early as possible.
- 3) If your fields are in compliance at the time of inspection, you will be issued written notice of compliance in the form of a certification letter. This letter, which is extremely important must be presented to your gin in order to authorize your rebate under option 6B below.
- 4) If any fields in your farm are not in compliance at the time of inspection, you will be given a written notice of non-compliance explaining why your fields did not meet compliance. You will have until the due date to bring all fields into compliance.
- 5) Growers who use the practice of ripping and disking must detach all stalks for your fields to be in compliance. To ensure compliance, the ADA Cotton Advisory Committee has recommended that sweeps, wings or old plow blades be attached to your ripper shanks to undercut the roots and dislodge the stalks.

October 7, 1994
Cotton Grower
Page 2

- 6) Growers who plant to a second crop, such as grain, must disk and cross-disk to a depth of four inches before planting to the second crop. Fields not disked and cross-disked will not be in compliance.
- 7) If all your fields are not in compliance by the due date, (You will forfeit your \$3.25 per bale rebate on all fields and will be served an Abatement Notice instructing you to bring the fields into compliance).
- 8) You must call 1-800-531-2223 to get your rebate REGARDLESS of which option your gin chooses for handling the financial aspects of the 1994 PLOWER program: The two gin options are:
 - A. The gin may remit the full amount of the fee (\$5.00 per bale for all areas below 2,700 feet elevation) set by the Arizona Cotton Research & Protection Council to the Arizona Department of Agriculture on or before February 15, 1995, OR
 - B. The gin may elect to remit only that portion of the fee not designated as a refund (\$1.75 per bale). Under this option, the gin would withhold the grower's refund amount (\$3.25 per bale). Upon written notification by the Arizona Department of Agriculture of grower certification (compliance with plowdown regulations) on each ASCS farm number, that portion of the fee designated as a refund would then be credited to the grower's account by the gin. If, on the other hand, the grower fails to meet compliance, the gin must remit the full amount of \$5.00 for all bales from the non-compliance farms.

Sincerely,


Keith Kelly
Director

KK:WG:vh

CALLLED IN BY: ROCK CRAMER

PHONE: 602-669-2936

DATE PRINTED: 01/29/93

PAGE 1

ARIZONA PLOWER PROGRAM
FIELD VERIFICATION FORM

ASCS FARM #: 145
DATE OF GROWER
CERT REQUEST: 01/28/93

NAME: MR JOHN SMITH
ADDRESS: 123 E FIRST ST
PHOENIX, AZ 85044

ASCS TRACT #	ASCS FLD #	LEGAL DESC.	WORK UNIT	FIELD NUMBER	# OF ACRES	CROP STAGE	DATE VERIFIED	INSPECTOR ID NUMBER
614	27-M	04N14W	32007	3042	60.30	99	01/12/93	E107
614	10-M	04N15W	32008	1001	124.90	99	01/15/93	E501
614	9	04N15W	32008	1002	57.30	99	01/15/93	E107
614	1	04N15W	32008	1101	68.10	99	01/13/93	E107
614	12	04N15W	32008	2323	58.40	99	01/12/93	E107
614	4	04N15W	32008	2325	70.10	99	01/15/93	E107
614	11	04N15W	32008	2334	60.90	99	01/12/93	E202
614	15	04N15W	32008	2430	115.10	99	01/15/93	E107
614	16	04N15W	32008	2431	68.70	99	01/01/93	E107
614	17	04N15W	32008	2432	68.80	99	01/01/93	E107
614	18	04N15W	32008	2433	75.20	99	01/01/93	E107
614	15	04N15W	32008	2538	115.10	99	01/28/93	E107
614	24	04N15W	32008	2539	65.00	99	01/01/93	E107
614	25	04N15W	32008	2540	67.80	99	01/01/93	E107

FIELDS FOLLOWED WITH GRAIN OR OTHER CROP? YES NO

SUPERVISOR SIGNATURE

Gene Lee

DATE

08-22-93

GROWER/REPRESENTATIVE
SIGNATURE

Joe Kramer
(IF AVAILABLE)

CERTIFICATION DATE 01/29/93

FIFE SYMINGTON
Governor



KEITH KELLY
Director

Arizona Department of Agriculture

1688 West Adams, Phoenix, Arizona 85007
(602) 542-0998 FAX (602) 542-0111

OFFICE OF DIRECTOR

February 1, 1993

Certification Number

920612

MR JOHN SMITH
123 FIRST ST
PHOENIX, AZ. 85044

Dear Cotton Grower:

Regarding your telephone call of 01/28/93.

We have inspected and verified your cotton fields under

ASCS Number: 145


Farm Name

Address

MR JOHN SMITH
123 E FIRST ST
PHOENIX, AZ 85044

You are certified to receive a rebate on all cotton bales reported from this farm.

We appreciate your efforts to meet the abatement due date and your help in reducing future pest problems for all growers.


Keith Kelly, Director
Arizona Department of Agriculture

ARIZONA PLOWER PROGRAM

VOUCHER

SAMPLE

FOR

DATE PRINTED: 02/06/92

MR JOHN SMITH
123 E FIRST ST
PHOENIX, AZ 85044

MAKE CHECK PAYABLE TO:

MR JOHN SMITH
123 E FIRST ST
PHOENIX, AZ 85044

ASCS NO	GIN NO	# OF BALES	BALE ASSESS	AMOUNT COLLECTED	PER BALE REBATE DUE	GROWER CERTIF. REQUEST	DATE CERTIFIED	REBATE PAID
0	11	193	5.00	965.00	3.25	01/07/92	01/09/92	627.25

DISTRIBUTION 1-GROWER

2-ACCOUNTING

3-SWBW OFFICE

FOR ACCOUNT USE ONLY

PREPARED BY

918

DATE PAID

7-13-92

CHECK #

2182 86/208

AMOUNT

627.25

UP 73AP

ARIZONA PLOWER PROGRAM

NOTICE OF FIELDS NOT IN COMPLIANCE

ASCS FARM #	ASCS FIELD #	WORK UNIT #	SWBW FIELD #	TOWNSHIP	RANGE	REASON/S NOT IN COMPLIANCE
55	25	30502	2201	1N	2E	3
55	26	30502	2203	1N	2E	3,4
55	19	30502	2206	1N	2E	7,8

REASON/S NOT IN COMPLIANCE CODES:

- 1 - Stub cotton from a previous crop is showing signs of regrowth.
- 2 - Volunteer - Cotton has germinated in a location other than a current crop.
- 3 - Cotton has not been picked.
- 4 - Cotton has been picked but not shredded.
- 5 - Cotton has been shredded only.
- 6 - Cotton/debris has not been adequately incorporated into the soil.
- 7 - Field has been worked, but some stalks are still attached.
- 8 - End rows are not in compliance.

Inspector's Signature Jane Lee
 Grower or
 Representative's Signature Joe Pinover

Date 8/12/93
 Date 8-12-93

Comments: _____

Distribution:
 Original - Arizona Department of Agriculture
 Yellow - Grower
 Pink - SW Boll Weevil Field Office

ARIZONA PLOWER PROGRAM
ABATEMENT APPEAL FORM

DATE: _____

TO: Mr. Keith Kelly, Director
Arizona Department of Agriculture
1688 West Adams
Phoenix, AZ 85007

My ASCS farm number is _____ and the ASCS field number/s in question are:

ASCS FIELD #	DESCRIBE TILLAGE ACTIVITIES	COMMENTS-WHY YOU FEEL FIELD/S IS IN COMPLIANCE

Signature

NAME:

ADDRESS:

PHONE:

COTTON PLOWDOWN - GROWER'S APPEAL INSTRUCTIONS

In the event of a conflict between a grower and an Inspector, the grower may appeal in writing to the Director of the Arizona Department of Agriculture providing the following information:

1. ASCS number for the farm in question.
2. ASCS field number/s of the field/s in dispute.
3. Description of tillage activities carried out in the field/s by the grower.
4. Description of why the grower feels that his/her field/s is/are in compliance.

You may use the attached form for this purpose.

Send written appeal to:

Mr. Keith Kelly, Director
Arizona Department of Agriculture
1688 West Adams
Phoenix, AZ 85007

C R O P S T A G E

0 = NO COTTON
10 = 2 LEAF
20 = 4 LEAF
30 = 6 LEAF
31 = 6 LEAF/1ST SIGN PS
32 = 6 LEAF/LATE PS
40 = 8 LEAF
41 = 8 LEAF/1ST SIGN PS
42 = 8 LEAF/LATE PS
50 = 10 LEAF
51 = 10 LEAF/1ST SIGN PS
52 = 10 LEAF/LATE PS
60 = FIRST BLOOM
70 = OPEN BOLL
80 = DEFOLIATED
90 = PICKING OR PICKED
91 = SHREDDED
92 = DISKED BUY NOT ADEQUATE
93 = DISKED ADEQUATELY
95 = VERIFIED NOT IN COMPLIANCE
98 = FOLLOW W/GRAIN OR OTHER CROP
99 = VERIFIED IN COMPLIANCE

9-93

BUSINESS MAILING ADDRESS:

TOTALS

* For farms in compliance, enter 0 in Column B and the grower's certification number in Column C. If farm is not in compliance, complete information for Column B and add to Column A for total.

ARIZONA DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION

MEMORANDUM

DATE: August 11, 1994
TO: All Interested Parties
FROM: William Gorman, IPM Special Projects Manager
SUBJECT: Establishing Cotton Tillage Costs

In compliance with Arizona Revised Statutes 41-2501-T, Keith Kelly, Director of the Arizona Department of Agriculture, has established that \$75.00 per acre will be the maximum contract fee to be paid for each acre of cotton abated by private contractors.

If you have any questions, please call Bill Gorman at (602) 407-2960.

cc: Keith Kelly
Larry Antilla
Ken Boyd
Glen Thaxton
Joe Friesen
ADA District Offices
ASCS Offices
Gins

ARIZONA DEPARTMENT OF AGRICULTURE
PLANT SERVICES DIVISION

MEMORANDUM

DATE: August 11, 1994
TO: All Plant Services Cotton Tillage Inspectors
FROM: Bill Gorman *WG*
SUBJECT: Cotton Tillage Cost Notice

Please post the attached memorandum at all Gins, ASCS offices and any other public place that you feel would be appropriate.

cc: Keith Kelly
Larry Antilla
Ken Boyd
Glen Thaxton
District Offices

DATE _____

94/95

[illegible]

KEITH KELLY
Director



EXHIBIT E 1
KEN L. BOYD
Associate Director

Arizona Department of Agriculture

1601 North 7th Street, Phoenix, Arizona 85006
(602) 407-2800 FAX (602) 407-2959

PLANT SERVICES DIVISION

PUBLIC NOTICE

BID INVITATION

The Arizona Department of Agriculture, 1601 N. 7th Street, Rm 332, Phoenix, AZ 85006, Phone (602) 407-2960, will accept sealed bids for the following services:

Request For Quote No. 94-01 Cotton Tillage

Bid Due Date: December 15, 1994

Description: Cotton Tillage Contracts for Plowing, Disking, Stalk Cutting, Ripping, Picking, Rooding, Cotton Stalk Pulling, Transportation, Field Laborers and Stand By Time.

Copies of the Request For Quote forms are available upon request by calling (602) 407-2962.

Any/all bids may be rejected and the total per acre bid amount cannot exceed \$75/acre.

No. of Publications: 1

Date of Publication: November 27, 1994

cc: The Arizona Republic
The Casa Grande Dispatch
The Yuma Daily Sun

6195

Public Notices

BID INVITATION

The Arizona Department of Agriculture, P.O. Box 234 Phx, AZ 85001, 542-0974, will accept sealed bids for the following services:

Request For Quote No. 93-01 Cotton Plow-up.

Bid Due Date: Dec 15, 1993.

Description: Cotton Plow-up Contracts for Plowing, Disking, Stalk Cutting, Ripping, Picking, Rooding, Cotton Stalk Pulling, Transportation, Field Laborers and Stand By Time.

Copies of the Request For Quote forms are available upon request. Any/all bids may be rejected.

CL36 The Arizona Republic Sun., Nov. 28, 1993

KEITH KELLY
Director



EXHIBIT F
KEN L. BOYD
Associate Director

Arizona Department of Agriculture

1601 North 7th Street, Phoenix, Arizona 85006
(602) 407-2800 FAX (602) 407-2959

PLANT SERVICES DIVISION

October 7, 1994

John Q. Public
111 W. Capitol Way
Phoenix, AZ 85007

Dear Mr. Public:

Enclosed is an invitation to bid on a cotton tillage contract for the coming season.

If you are interested in bidding on a tillage contract for this season, please fill out the attached Request For Quotation and return it to me by December 15, 1994. The Director of the Department will review it and make the final decision on accepting your bid. If you are awarded a contract, it will be good for a twelve (12) month period from the date it is awarded.

The per acre maximum for all tillage services, including transportation and stand-by time, cannot exceed \$75 per acre.

Please mail the completed Request For Quotation to:

William Gorman, IPM Specialist
Arizona Department of Agriculture
1601 N. 7th Street, Rm 332
Phoenix, AZ 85006

Should you have any questions please call me at (620) 407-2960.

Sincerely,

A handwritten signature in cursive script that reads "William Gorman".

William Gorman
IPM Special Projects Coordinator

WG:wg

Attachment

C:\WP51\GORMAN\COTTON\INVITATO.BID

KEITH KELLY
Director



EXHIBIT G
KEN L. BOYD
Associate Director

Arizona Department of Agriculture

1601 North 7th Street, Phoenix, Arizona 85006
(602) 407-2800 FAX (602) 407-2959

PLANT SERVICES DIVISION

October 7, 1994

John Q. Public
111 W. Capitol Way
Phoenix, AZ 85007

Dear Mr. Public:

Enclosed is an invitation to renew your cotton tillage contract for the coming season.

If you are interested in renewing your contract for this season, please fill out the attached Request For Quotation and return it to me by December 15, 1994. The Director of the Department will review it and make the final decision on accepting your bid. If you are awarded a contract, it will be good for a twelve (12) month period from the date it is awarded.

The per acre maximum for all tillage services, including transportation and stand-by time, cannot exceed \$75 per acre.

Please mail the completed Request For Quotation to:

William Gorman, IPM Specialist
Arizona Department of Agriculture
1601 N. 7th Street, Rm 332
Phoenix, AZ 85006

Should you have any questions please call me at (620) 407-2960.

Sincerely,

A handwritten signature in cursive script, appearing to read "William Gorman", is written over a horizontal line.

William Gorman
IPM Special Projects Coordinator

WG:wg

Attachment

C:\WP51\GORMAN\COTTON\INVITATO.REN

STANDARD TERMS AND CONDITIONS

This contract between the Arizona Department of Agriculture and the Vendor-Service Provider is for the purpose of contract tillage to comply with quarantine regulation R3-4-204.

The Service Provider agrees to destroy stub, soca, or volunteer cotton on fields the Service Provider previously tilled to comply with R3-4-204. The destruction of this stub, soca, or volunteer cotton will be done at the expense of the Service Provider.

The Department and Service Provider agree that it is mutually understood that the service described in bid # 94- at the prices listed is available to be performed by the Service Provider upon direction of the Department.

The Service Provider agrees to be available as required by the Department. It is mutually understood that there is no guaranteed minimum quantity that the Service Provider is to receive from the Department. There is no guarantee that the Department will employ the Service Provider but Service Provider agrees to be available to provide service in a timely and expeditious manner to achieve desired results during the duration of the contract.

SPECIAL TERMS AND CONDITIONS:

1. Purpose: The Department of Agriculture is bidding tillage service to comply with quarantine regulation R3-4-204.
2. Cotton Tillage Services - Plowing
Cotton Tillage Service - Disking
Cotton Tillage Services - Stalk Cutting
Cotton Tillage Services - Ripping
Cotton Tillage Services - Picking
Cotton Tillage Services - Rooding
Cotton Tillage Services - Stalk Pulling
Transportation Cost - Haul cotton to cotton gin
Transportation Cost (one round trip) - Haul equipment from point of origin to field being abated and back to point of origin
Field Laborers to abate cotton by hand.
3. Stand By Time The time the contractor will spend at the field with his equipment idle, as instructed by the Arizona Dept. of Ag.
4. All Bids should include transportation costs to and from site of the cotton field abated. Bidders may submit a bid for the work in only selected counties, parts of counties or specified areas.

SPECIAL TERMS AND CONDITIONS (continued)

5. Agency Contact: For answers to technical questions, please contact:

Arizona Department of Agriculture
P. O. Box 234
Phoenix, Arizona 85001
Bill Gorman, Special Projects Mgr.
(602) 407-2960

6. Authority: This solicitation as well as any resultant contract is issued under the authority of A.R.S. 41-2501. No alteration of any resultant contract may be made without the express written approval of the Department of Agriculture in the form of an official contract amendment. Any such action is subject to the legal and contractual remedies available to the State inclusive of, but not limited to, contract cancellation, suspension and/or debarment of the contractor.
7. Evaluation: Awards shall be made to the lowest responsible and responsive bidders whose bids conform in all material respects to the Request For Quotation.
8. Term of Contract: The term of any resultant contract shall commence on the date of award and shall continue for a period of one (1) year thereafter, unless terminated, canceled or extended as otherwise provided herein.
9. Contract Extension: By mutual written contract amendment, any resultant contract may be extended for supplemental periods of up to a maximum of twelve (12) months.
10. Offer Acceptance Period: In order to allow for an adequate evaluation, offers in response to the request will be valid and irrevocable for thirty (30) days after the opening time and date.
11. Contract Termination: This contract may be terminated without default by either party by providing a written thirty (30) day notice of termination to the other party.

OFFER AND CONTRACT AWARD
REQUEST FOR QUOTATION

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001

OFFER

TO THE STATE OF ARIZONA:

The undersigned hereby offers and agrees to furnish the material. Service or construction in compliance with all terms. Conditions, specifications and amendments in the Solicitation and any written exceptions in the offer.

Arizona Transaction (Sales) Privilege
Tax License No: _____

For clarification of offer.
Name: _____

Federal Employer Identification
No: _____

Phone: _____

Company Name

Signature

Address

Print Name

City State zip

Title

ACCEPTANCE OF OFFER AND CONTRACT AWARD

Your offer is hereby accepted.

The Contractor is now bound to sell the materials. Services or construction listed by the attached award notice based upon the solicitation, including all terms, conditions, specifications, amendments, etc. and the Contractor's offer as accepted by the State.

Contract No. _____

The Contractor is hereby cautioned not to commence any billable work or provide any material, service or construction under this contract until Contractor receives an executed purchase order or contract release document.

State of Arizona

Awarded this _____ day of _____ 19__

Keith Kelly, Director

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602) -

SOLICITATION NO.

94-

Page 7 of 15 Date

C. La Paz County, Eastern Part

- | | | | | |
|-----|---------------------------------|----------|----|--|
| 1. | Plowing | acre | \$ | |
| 2. | Disking | acre | \$ | |
| 3. | Stalk Cutting | acre | \$ | |
| 4. | Ripping | acre | \$ | |
| 5. | Picking | acre | \$ | |
| 6. | Roading | acre | \$ | |
| 7. | Cotton Stalk Puller | acre | \$ | |
| 8. | Transportation Cost | per mile | \$ | |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | |

D. La Paz County, Western Part

- | | | | | |
|-----|---------------------------------|----------|----|--|
| 1. | Plowing | acre | \$ | |
| 2. | Disking | acre | \$ | |
| 3. | Stalk Cutting | acre | \$ | |
| 4. | Ripping | acre | \$ | |
| 5. | Picking | acre | \$ | |
| 6. | Roading | acre | \$ | |
| 7. | Cotton Stalk Puller | acre | \$ | |
| 8. | Transportation Cost | per mile | \$ | |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | |

PRICE SHEET

SOLICITATION NO. 94-

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234

Phoenix, AZ 85001
(602) 542-4373

Page 6 of 15 Date _____

Tillage services to satisfy quarantine regulation R3-1-53 of the Arizona Department of Agriculture in accordance with other terms and conditions of this contract in the following counties:

A. Maricopa County, Eastern Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

B. Maricopa County, Western Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per mile | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

INSTRUCTIONS TO BIDDERS
AND
TERMS AND CONDITIONS

1. **OPENING:** This is an informal quotation which will not be read at a public opening; however, the information may be publicly reviewed after an award.
2. **TAXES:** The State of Arizona is subject to taxes. Price submitted is to be exclusive of taxes.
3. **BID REJECTION:** The State reserves the right to reject any, or all bids, combinations of items, or lot, and to waive defects or informalities.
4. **PAYMENT:** The State will make every effort to process payment for the purchase of goods or services within thirty (30) calendar days after receipt of goods or services and a correct notice of amount due, unless a good faith dispute exists as to any obligation to pay all or a portion of the account. Any bid that requires payment in less than thirty (30) calendar days shall not be considered.
5. **ARIZONA PROCUREMENT CODE:** The Arizona Procurement Code (A.R.S. Title 41, Chapter 23) and its Rules and Regulations (A.C.R.R. Title 2, Chapter 7), are made a part of this document as if fully set forth herein. Note: A.R. S. Title 41, Chapter 23 is available at most public libraries; Title 2, Chapter 7 may be purchased from the Arizona Secretary of State.

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234

Phoenix, AZ 85001
(602)

SOLICITATION NO. 94-

Page 8 of 15 Date _____

E. Mohave County, Eastern Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

F. Mohave County, Western Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

PRICE SHEET

DEPT. OF AGRICULTURE

P.O. BOX 234

Phoenix, AZ 85001

(602)

SOLICITATION NO.

94-

Page 9 of 15 Date

G. Pinal County, Eastern Part

- | | | | | |
|-----|---------------------------------|----------|----|-------|
| 1. | Plowing | acre | \$ | _____ |
| 2. | Disking | acre | \$ | _____ |
| 3. | Stalk Cutting | acre | \$ | _____ |
| 4. | Ripping | acre | \$ | _____ |
| 5. | Picking | acre | \$ | _____ |
| 6. | Rooding | acre | \$ | _____ |
| 7. | Cotton Stalk Puller | acre | \$ | _____ |
| 8. | Transportation Cost | per mile | \$ | _____ |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | _____ |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | _____ |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | _____ |

H. Pinal County, Western Part

- | | | | | |
|-----|---------------------------------|----------|----|-------|
| 1. | Plowing | acre | \$ | _____ |
| 2. | Disking | acre | \$ | _____ |
| 3. | Stalk Cutting | acre | \$ | _____ |
| 4. | Ripping | acre | \$ | _____ |
| 5. | Picking | acre | \$ | _____ |
| 6. | Rooding | acre | \$ | _____ |
| 7. | Cotton Stalk Puller | acre | \$ | _____ |
| 8. | Transportation Cost | per mile | \$ | _____ |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | _____ |
| | (Haul equipment) | | | |
| 10. | Field labors | per hour | \$ | _____ |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | _____ |

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234

Phoenix, AZ 8500.1
(602)

SOLICITATION NO. 94-

Page 10 of 15 Date

I. Pima County, Eastern Part

1. Plowing acre \$
2. Disking acre \$
3. Stalk Cutting acre \$
4. Ripping acre \$
5. Picking acre \$
6. Rooding acre \$
7. Cotton Stalk Puller acre \$
8. Transportation Cost per mile \$
(Haul cotton from field to gin)
9. Round Trip Transportation per mile \$
(Haul equipment)
10. Field laborers per hour \$
(Abate cotton by hand)
11. Stand-by time per hour \$

J. Pima County, Western Part

1. Plowing acre \$
2. Disking acre \$
3. Stalk Cutting acre \$
4. Ripping acre \$
5. Picking acre \$
6. Rooding acre \$
7. Cotton Stalk Puller acre \$
8. Transportation Cost per mile \$
(Haul cotton from field to gin)
9. Round Trip Transportation per mile \$
(Haul equipment)
10. Field Laborers per hour \$
(Abate cotton by hand)
11. Stand-by time per hour \$

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602)

SOLICITATION NO.

94-

Page 11 of 15 Date

K. Cochise County, Eastern Part

- | | | | |
|---------------------------------|----------|----|--|
| 1. Plowing | acre | \$ | |
| 2. Disking | acre | \$ | |
| 3. Stalk Cutting | acre | \$ | |
| 4. Ripping | acre | \$ | |
| 5. Picking | acre | \$ | |
| 6. Rooding | acre | \$ | |
| 7. Cotton Stalk Puller | acre | \$ | |
| 8. Transportation Cost | per mile | \$ | |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | |

L. Cochise County, Western Part

- | | | | |
|---------------------------------|----------|----|--|
| 1. Plowing | acre | \$ | |
| 2. Disking | acre | \$ | |
| 3. Stalk Cutting | acre | \$ | |
| 4. Ripping | acre | \$ | |
| 5. Picking | acre | \$ | |
| 6. Rooding | acre | \$ | |
| 7. Cotton Stalk Puller | acre | \$ | |
| 8. Transportation Cost | per mile | \$ | |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | |

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602) 511-1111

SOLICITATION NO.

94-

Page 12 of 15 Date

M. Graham County, Eastern Part

- | | | | | |
|-----|---------------------------------|----------|----|-------|
| 1. | Plowing | acre | \$ | _____ |
| 2. | Disking | acre | \$ | _____ |
| 3. | Stalk Cutting | acre | \$ | _____ |
| 4. | Ripping | acre | \$ | _____ |
| 5. | Picking | acre | \$ | _____ |
| 6. | Rooding | acre | \$ | _____ |
| 7. | Cotton Stalk Puller | acre | \$ | _____ |
| 8. | Transportation Cost | per mile | \$ | _____ |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | _____ |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | _____ |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | _____ |

N. Graham County, Western Part

- | | | | | |
|-----|---------------------------------|----------|----|-------|
| 1. | Plowing | acre | \$ | _____ |
| 2. | Disking | acre | \$ | _____ |
| 3. | Stalk Cutting | acre | \$ | _____ |
| 4. | Ripping | acre | \$ | _____ |
| 5. | Picking | acre | \$ | _____ |
| 6. | Rooding | acre | \$ | _____ |
| 7. | Cotton Stalk Puller | acre | \$ | _____ |
| 8. | Transportation Cost | per mile | \$ | _____ |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile | \$ | _____ |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | _____ |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | _____ |

PRICE SHEET

SOLICITATION NO.

94-

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602) 342-1111

Page 13 of 15 Date

O. Greenlee County, Eastern Part

- | | | | | |
|-----|---------------------------------|------------|----|--|
| 1. | Plowing | acre | \$ | |
| 2. | Disking | acre | \$ | |
| 3. | Stalk Cutting | acre | \$ | |
| 4. | Ripping | acre | \$ | |
| 5. | Picking | acre | \$ | |
| 6. | Rooding | acre | \$ | |
| 7. | Cotton Stalk Puller | acre | \$ | |
| 8. | Transportation Cost | per mile | \$ | |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile & | | |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | |

P. Greenlee County, Western Part

- | | | | | |
|-----|---------------------------------|------------|----|--|
| 1. | Plowing | acre | \$ | |
| 2. | Disking | acre | \$ | |
| 3. | Stalk Cutting | acre | \$ | |
| 4. | Ripping | acre | \$ | |
| 5. | Picking | acre | \$ | |
| 6. | Rooding | acre | \$ | |
| 7. | Cotton Stalk Puller | acre | \$ | |
| 8. | Transportation Cost | per mile | \$ | |
| | (Haul cotton from field to gin) | | | |
| 9. | Round Trip Transportation | per mile & | | |
| | (Haul equipment) | | | |
| 10. | Field Laborers | per hour | \$ | |
| | (Abate cotton by hand) | | | |
| 11. | Stand-by time | per hour | \$ | |

PRICE SHEET

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602)

SOLICITATION NO.

94-

Page 14 of 15 Date

Q. Yuma County, Eastern Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

R. Yuma County, Western Part

- | | | | |
|---------------------------------|----------|----|-------|
| 1. Plowing | acre | \$ | _____ |
| 2. Disking | acre | \$ | _____ |
| 3. Stalk Cutting | acre | \$ | _____ |
| 4. Ripping | acre | \$ | _____ |
| 5. Picking | acre | \$ | _____ |
| 6. Rooding | acre | \$ | _____ |
| 7. Cotton Stalk Puller | acre | \$ | _____ |
| 8. Transportation Cost | per mile | \$ | _____ |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | _____ |
| (Haul equipment) | | | |
| 10. Field Laborers | per hour | \$ | _____ |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | _____ |

PRICE SHEET

SOLICITATION NO.

94-

ARIZONA
DEPT. OF AGRICULTURE
P.O. BOX 234
Phoenix, AZ 85001
(602)

Page 15 of 15 Date

S. Other Area (Specify)

- | | | | |
|---------------------------------|----------|----|--|
| 1. Plowing | acre | \$ | |
| 2. Disking | acre | \$ | |
| 3. Stalk Cutting | acre | \$ | |
| 4. Ripping | acre | \$ | |
| 5. Picking | acre | \$ | |
| 6. Rooding | acre | \$ | |
| 7. Cotton Stalk Puller | acre | \$ | |
| 8. Transportation Cost | per mile | \$ | |
| (Haul cotton from field to gin) | | | |
| 9. Round Trip Transportation | per mile | \$ | |
| 10. Field Laborers | per hour | \$ | |
| (Abate cotton by hand) | | | |
| 11. Stand-by time | per hour | \$ | |

BID ITEMS: Bidders may submit a bid for the work in only selected counties, parts of counties or specified areas as indicated above.



Arizona Department of Agriculture

1688 West Adams, Phoenix, Arizona 85007
(602) 542-0998 FAX (602) 542-5420

OFFICE OF DIRECTOR

October 13, 1993

John Q. Public
111 W Capitol Way
Phoenix, AZ 85007

Dear Mr. Public,

Your Request For Quotation has been considered by the Department.

As of November 15, 1993, the Department of Agriculture is awarding you a contract to perform cotton tillage during this season.

This contract will be good for twelve (12) months from the date it was awarded. It is subject to the Standard Terms and Conditions and the Special Terms and Conditions as set forth in the contract.

The Department will notify you by phone or mail when your services are required.

I appreciate your willingness to participate in this program.

Sincerely,

Keith Kelly
Director

KK:BC

Attachment

KEITH KELLY
Director



KEN L. BOYD
Associate Director

Arizona Department of Agriculture

1688 West Adams, Phoenix, Arizona 85007
(602) 542-4373 FAX (602) 542-0909

PLANT SERVICES DIVISION

October 13, 1993

John Q. Public
111 W Capitol Way
Phoenix, AZ 85007

Dear Mr. Public,

Your bid proposal has been reviewed by the Department.

You are not being awarded a contract and your bid will not receive any further consideration, at this time. You may however be invited to bid again at a later date.

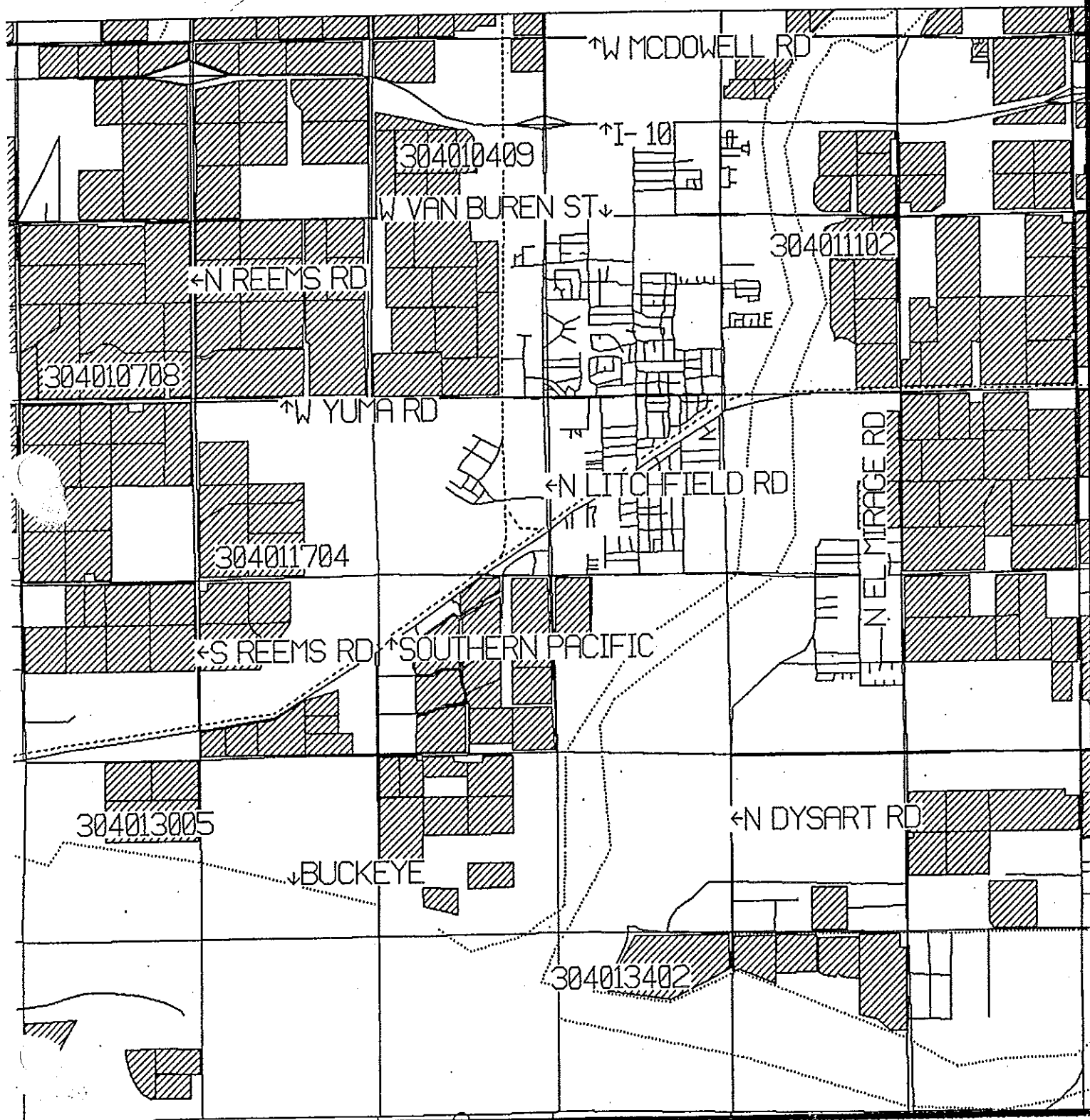
Sincerely,

IPM Specialist (Special Projects Coordinator)

BC:BC

Attachment

GOODYEAR WORK UNIT 30401



STATEMENT OF SERVICE

ZONA

SS

BY CERTIFY that I received the Notice and Direction to Abate
the ___ day of ___, 19___, at the hour of ___ A.M. ___ P.M.,

ly served the same on the ___ day of ___, 19___, to the
or legal agent in charge of the nuisance to be abated as named in
and Direction to Abate Nuisance by delivery to _____

na consisting of

County of _____
(Served)

this ___ day of ___, 19___.

By _____

Department of
the cotton crop is
the pink bollworm
ex, and pursuant
Quarantine AAC

e \$ _____
\$ _____
files \$ _____

STATEMENT OF PUBLISHING AND POSTING

ZONA

SS

Y CERTIFY that the within Notice and direction to abate

ing _____ as the
al agent was published one time in the

_____ in the County of _____
(Newspaper)

day of ___, 19___, and that a true copy of said
publication was posted on, or in the immediate vicinity of
on the ___ day of ___, 19___, at the hour of
___ P.M.

this ___ day of ___, 19___.

By _____

\$ _____
\$ _____
les \$ _____
\$ _____
\$ _____

% of the expense
order where the

YS from the filing
the lien against

A TURE



STATE OF ARIZONA
ARIZONA DEPARTMENT OF AGRICULTURE
PHOENIX, ARIZONA

No. _____

ORDER OF ABATEMENT OF PUBLIC NUISANCE
DANGEROUS CROP PEST

(Stub, Soca, or Volunteer Cotton and/or Other Host Plants)

STATEMENT OF PUBLISHING AND POSTING

STATE OF ARIZONA)
COUNTY OF _____) SS

I HEREBY CERTIFY that the within Notice and direction to abate
Nuisance naming _____ as the
owner or legal agent was published one time in the

_____ in the County of _____
(Name of Newspaper)
on the _____ day of _____, 19____, and that a true copy of said
notice and publication was posted on, or in the immediate vicinity of
the nuisance on the _____ day of _____, 19____, at the hour of
_____ A.M. _____ P.M.

Dated this _____ day of _____, 19____.

By _____

Fees, Service	\$ _____
Copies	\$ _____
Travel _____ miles	\$ _____
Publication	\$ _____
TOTAL	\$ _____

SECTION MAP

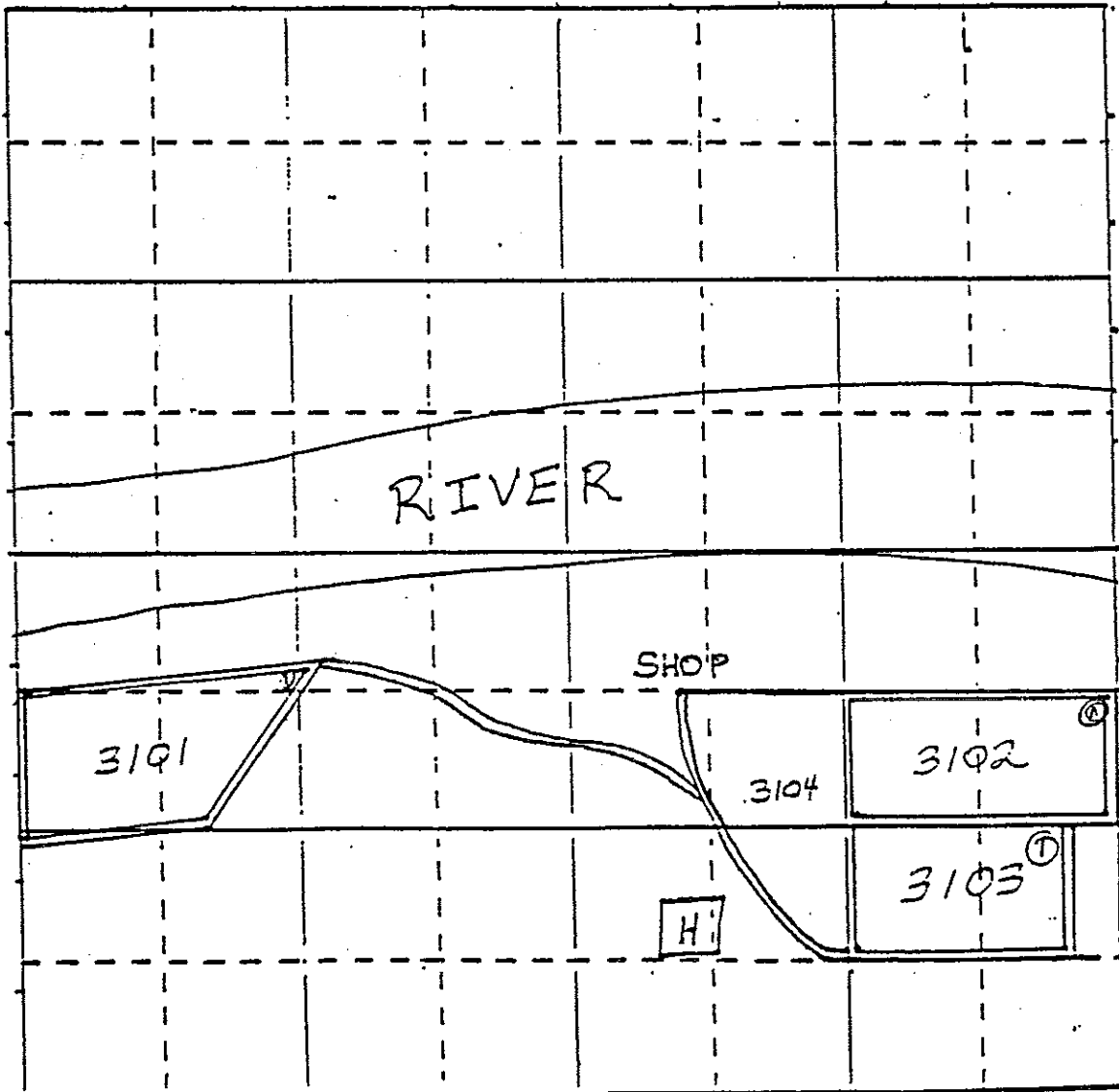
TRAPPER'S NAME

31 + 1N 01W
LEGAL DESCRIPTION

1999
YEAR

30401
COUNTY

Estrella
GENERAL LOCATION - CITY OR TOWN
NEAREST TO SECTION.



CHAPTER 2

REGULATORY PROVISIONS

ARTICLE 1. DANGEROUS PLANT PESTS AND DISEASES

3-201. Definitions

In this article, unless the context otherwise requires:

1. "Associate director" means the associate director of the division.
2. "Crop diseases" includes all fungus, bacteria, virus or other organism of any kind and any unknown cause which is or may be found to be injurious, or likely to be or to become injurious to any domesticated or cultivated plant, or to the product of any such plant.
3. "Crop pests" includes all noxious weeds, insects, mites, spiders, nematodes and other animal or plant organisms found injurious, or likely to be or to become injurious, to any domesticated, cultivated, native or wild plant, or to the product of any such plant.
4. "Division" means the plant industries division of the Arizona department of agriculture.
5. "Noxious weed" means any species of plant which is, or is liable to be, detrimental or destructive and difficult to control or eradicate and shall include any species that the director, after investigation and hearing, shall determine to be a noxious weed.
6. "Nursery stock" includes all trees, shrubs, vines, cacti, agaves, succulents, herbaceous plants whether annuals, biennials or perennials, bulbs, corms, rizomes, roots, decorative plant material, flowers, fruit pits or seeds, cuttings, buds, grafts, scions and other plants intended for sale, gift or propagation, either cultivated or collected in the wild, except seeds as defined by article 2 of this chapter.
7. "Plant" includes every kind of vegetation, wild or domesticated, and any part thereof, as well as seed, fruit or other natural product of such vegetation.
8. "Shipment" includes anything brought into the state or transported within the state which may be the host or may contain or carry or may be susceptible of containing, carrying or having present on, in, or about it any plant pest or plant disease.

3-201.01. Associate director; powers and duties

A. The associate director may, as authorized by the director:

1. Deal with noxious weeds, crop pests and diseases, and with all plants infested or infected with crop pests or diseases, or which are the host or carrier or the means of propagating or disseminating a crop pest or disease.
2. Enforce all rules and orders necessary to carry out the purposes of this article:
 - (a) To prevent introduction of a crop pest or disease into the state.
 - (b) To prevent propagation or dissemination of a crop pest or disease from one locality to another in this state.
 - (c) To control, eradicate or suppress a crop pest or disease.
 - (d) Which fix the terms and conditions on which plants or any other article or thing of any nature whatever likely to be infested or infected with or be the carrier of, or the means of propagating or disseminating, a crop pest or disease which may be shipped or brought into this state, or moved from one locality or place to another locality or place in this state.

(e) Which prohibit plants or things likely to be infected with, be the carrier of or the means of spreading, propagating or disseminating a crop pest or disease from being shipped or brought into this state or moved from one locality to another in this state.

3. Cooperate with the United States secretary of agriculture and his representatives in interstate matters pertaining to the objects of this article.

4. Proceed according to law to abate any public nuisance prohibited by this article.

B. The associate director shall:

1. Keep the director informed concerning dangers to the agricultural and horticultural interests of this state from noxious weeds, crop pests and diseases.

2. Faithfully enforce and execute all rules and orders of the department pertaining to the division, using all necessary and proper means including court action.

3. Prepare and have printed at least once each year bulletins containing such information as the assistant director deems proper and the current rules and orders of the department and mail copies to various agricultural organizations and carriers transporting plants and other agricultural products into or in this state.

4. Enter in or on any premises or other place, train, vehicle or other means of transportation in or entering this state which is suspected of containing, harboring or having present one or more noxious weeds, crop pests or diseases.

5. Make inspections to determine if a noxious weed, crop pest or disease is present.

6. Open, without unnecessary injury to property, any box, container or package at any time during business or operating hours, and, after notifying the owner or person in charge, if he is found in the county, open any car, enclosure or building which the assistant director suspects contains, harbors or has present a noxious weed, crop pest or disease, and examine and inspect the contents as may be necessary to determine if a noxious weed, crop pest or disease is present.

7. If in performing his other duties he determines that plant materials inspected and being delivered or transported or shipped by mail or courier are dead, dying or otherwise inferior in quality, mark the plant or package, or both, advising the recipient and sender that, in the judgment of the assistant director, the plant materials were found to be dead, dying or of inferior quality. This paragraph does not authorize the associate director to perform inspections solely for the purposes set forth in this paragraph.

C. The associate director, with the approval of the director, may employ one or more entomologists who are qualified by scientific training or practical experience.

D. The director may assign personnel from the office of inspections to perform any of the inspection-related activities prescribed by this chapter under the direction of the associate director.

E. The director shall establish and collect a variable fee for each special nursery certification inspection based on a schedule of costs for services, including costs per hour, per mile or per unit or otherwise as may be appropriate to recover the actual and direct costs incurred by the division, but not to exceed fifty dollars for each inspection.

3-202. Infested or infected plants as public nuisances

All plants, soil and other things found infested or infected with a crop pest or disease or which are the host or carrier or means of disseminating or propagating a crop pest or disease is declared a public nuisance, and may be abated, suppressed, controlled or regulated as provided in this article and by the rules and orders of the director.

3-203. Quarantine of infected and diseased plants; notice

A. When a plant or other thing is found infested or infected by or to contain or harbor a crop pest or disease, the director shall place thereon a written warning or notice, stating:

1. That the plant or thing is held under quarantine by the department.
2. That all persons are forbidden to remove or otherwise disturb the plant or thing pending further action by the department.

B. The director shall, as soon as practical, notify in writing the owner or person in charge of the plant or thing, if he can be found within the county, of his finding the crop pest or disease, stating the name thereof, and giving a sufficient description of the plant or thing by name, location or otherwise in order that it may be readily identified.

3-204. Summary abatement of imminently dangerous nuisance; procedure; expense; lien; public sale; reimbursement to state for certain abatements

A. If, in the opinion of the director, the danger to the agricultural and horticultural industry of the state is imminent if the nuisance caused by a plant or thing is not speedily abated or suppressed, and if he finds it is practical to summarily abate the nuisance, either by the destruction of the plant or thing or by the treatment thereof so as to destroy or eradicate the crop pest or disease without actually destroying the plant or thing, the director shall in writing direct the owner or person in charge of the nuisance, if he is found in the county, forthwith and at his expense to abate and suppress the nuisance in the manner provided in the written direction. If the owner or person in charge fails or neglects to comply with the direction for a period of five days after the date on which the direction was delivered to or served upon him, then the director shall summarily abate the nuisance in the manner specified in the written direction.

B. If the owner or person in charge or control of the nuisance is a nonresident of the state or cannot, after reasonable diligence by the director, be found within the county where the nuisance exists, the director shall publish the notice and the direction one time in a newspaper published in the county, and shall post a copy at, on or in the immediate vicinity of the nuisance, and after seven days from the first publication and posting, the director shall abate the nuisance in the manner specified in the direction.

C. If the nuisance is abated by the director the expense shall be borne by the state, but, when the abatement does not involve the destruction of the plant or thing and it has some value after the crop pest or disease has been eradicated, then the state shall have a first claim and lien thereon for the payment of expenses incurred in the abatement of the nuisance.

D. The director shall notify the owner or person in charge or control of the nuisance of the amount of the expenses, and that unless the amount is paid within ten days after the date of service of the notice upon the owner or person in charge, the plant or thing will be sold at public sale, and the proceeds, or so much thereof as may be necessary, applied to the payment of the expenses. The notice shall be personally served or posted as required in this section for notices to abate.

E. If the owner or person in charge of the plant or thing fails to pay the expenses within the time specified in the notice, the director shall give public notice of the time and place of sale with a description of the plant or thing to be sold, and the amount of expenses against it, which shall include costs of publication, posting and service of notice. The notice of sale shall be published and posted as provided in this section for the publication and posting of direction to suppress the nuisance.

F. The owner or person in charge of a plant or thing constituting the nuisance may waive in writing the service of all directions and notices in connection with the abatement or sale thereof.

G. If the director is required to abate the nuisance of cotton or cotton stubble which is not destroyed before a date established by the director or is required to abate the nuisance of cotton planted before a date established by the director, unless the director waives such dates due to variations in weather conditions, following the refusal by the owner or person in charge or control of the nuisance to do so, the owner or person in charge or control of the nuisance shall reimburse the department for one hundred fifty per cent of the costs of the state's abatement of the nuisance. An injunction shall not be granted to stay this state from abating the nuisance. If the owner or person in charge fails to pay the amount required to be reimbursed to the director under this subsection within ten days after the owner or person in charge receives notice of the amount of the costs, the director shall prepare and file or record in the office of the county recorder of the county where the land is situated a notice of lien, setting forth the amount of the unpaid costs and the name of the owner or person in charge, and upon such recording, the amount required to be reimbursed becomes a lien on the land subordinate only to any lien for state and local taxes. ~~The actual producer of the crop who violates cotton plow-up rules adopted pursuant to this article is also subject to a civil penalty imposed by the director of five hundred dollars plus five dollars for each acre of land that is not in compliance with the rules, and shall be solely responsible for its payment. All monies recovered as civil penalties under this subsection shall be transmitted to the state treasurer for deposit in the state general fund.~~

Amended
4-24-94

3-205. Abatement of nuisance not imminently dangerous; procedure; lien; foreclosure; release of lien; reimbursement to state for certain abatements

A. If the director believes the danger to the agricultural and horticultural industry is not imminent, or if impractical for any reason to summarily abate the nuisance, as described in sections 3-203, 3-204, 3-206 and 3-207, the direction shall not require summary destruction or eradication, but shall set forth the measures required to be taken by the owner or person in charge to control, suppress or eradicate the danger, and shall require the person, at his expense, to take and comply with the measures specified in the direction and subsequent directions.

B. The directions shall be made, given and served as prescribed for summary abatement, and if they are not complied with, the director may proceed as provided by the directions, and the expense shall be charged against the state.

C. If the plant or thing constituting the nuisance consists only of personalty, and is not attached to land or contained in a building, enclosure, vehicle or place belonging to the person, the state shall have the same lien and it is enforceable in the same manner as provided for summary abatement of the nuisance.

D. If the plant or thing is attached to land, or contained in a building, enclosure or vehicle which is the property of the person, then the lien shall also attach to the land, building, enclosure or vehicle, and the director shall prepare and file in the office of the county recorder where the property is situated a notice of the lien, setting forth the amount and the name of the owner or person in charge, and stating that the amount of the lien shall be paid within thirty days from filing the notice, or otherwise the property will be subjected to payment thereof.

E. The lien shall be prior to all other liens against the property except liens for state and county taxes. If the amount of the lien is not paid within the thirty days, the county attorney shall, on written request of the director, foreclose the lien against the property impressed therewith as other liens are foreclosed.

F. Upon satisfaction of the lien, the director shall issue a release of the lien to the person against whom the lien was claimed. Such release shall be a document in a form as specified in section 11-480.

G. If the director is required to abate the nuisance of cotton or cotton stubble which is not destroyed before a date established by the department or is required to abate the nuisance of cotton planted before a date established by the department, unless the director waives such dates due to variations in weather conditions, following the refusal by the owner or person in charge or control of the nuisance to comply with the director's directions pursuant to this section, the owner or person in charge or control of the nuisance shall reimburse the director for one hundred fifty per cent of the costs of the state's abatement of the nuisance. An injunction shall not be granted to stay this state from abating the nuisance. If the owner or person in charge fails to pay the amount required to be reimbursed to the director under this subsection within ten days after the owner or person in charge receives notice of the amount of the costs, the director shall prepare and file or record in the office of the county recorder of the county where the land is situated a notice of lien, setting forth the amount of the unpaid costs and the name of the owner or person in charge, and upon such recording, the amount required to be reimbursed becomes a lien on the land subordinate only to any lien for state and local taxes. ~~The actual producer of the crop who violates cotton plow up rules adopted pursuant to this article is subject to a civil penalty of five hundred dollars plus five dollars for each acre of land that is not in compliance with the rules and shall be solely responsible for its payment. All monies recovered as civil penalties under this subsection shall be transmitted to the state treasurer for deposit in the state general fund.~~

Amended
4-24-94

ARIZONA DEPARTMENT OF AGRICULTURE

CHAPTER 4. PLANT SERVICES DIVISION
ARTICLE 2. QUARANTINE REGULATIONS

pink bollworm and the cotton boll weevil complex

tions. In addition to the definitions provided in A.R.S. § 3-201 and R3-4-102, the following shall apply
rule:

"Crop remnant" means the stalks, leaves, bolls, lint, pods and seeds of cotton.

"Pests" means the pink bollworm, *Pectinophora gossypiella* (Saunders), and the boll weevil complex, *Anthonomus grandis* Boheman complex.

"Stub or soca cotton" means those cotton stalks of a previous crop which begin to show signs of growing by displaying buds which swell, or which send out shoots of plant growth (either white or green).

"Volunteer cotton" means sprout from seed of a previous crop.

and commodities. The following items are designated as a host plant or carrier of the pests:

Cotton, all parts;

Cotton gin trash;

Used cotton harvesting machines;

Other materials, products and equipment which are means of disseminating or proliferating the pests.
sing of cotton gin trash. Trash from cotton gins operated within the state shall be destroyed daily by
disposal as prescribed by the United States Department of Agriculture Domestic Program Manual,
52 Regulatory Procedures (III)(C)(4), revised December 1979. The material incorporated herein by
reference does not include any later amendments or editions of the incorporated matter and is on file with
the Office of the Secretary of State.

and covered commodities within the state.

No red commodity produced or located within an area infested with the pests may be moved out
of the area unless a permit is issued by the Director. Persons intending to move, transport, or allow
the movement of host plants or carriers shall make application to the Department before the date of
movement or shipment. The application shall contain the following:

- a. The quantity of the article to be moved;
- b. The location of the article;
- c. The names and addresses of the consignee and consignor;
- d. The method of shipment; and
- e. The scheduled date of the shipment.

Permits shall be attached to the manifest, waybill or bill of lading covering the shipment and shall
accompany the shipment. Permits shall specify the manner of handling or treating the host plant or
carrier. Any treatment pertaining to pink bollworm prescribed by the United States Department of
Agriculture Plant Protection and Quarantine Treatment Manual, Treatment Schedule Series T200, T300
and T400, revised November 1992, which is applied under official supervision, is hereby prescribed
for treating like commodities under the provisions of this rule. The material incorporated herein by
reference does not include any later amendments or editions of the incorporated matter and is on file
with the Office of the Secretary of State.

and practices.

There are six cultural zones established in the State:

- a. Zone "A" -- Yuma County west of a line extended directly north and directly south of Avenue
58E.
- b. Zone "B" -- Cochise County, Graham County and Greenlee County.
- c. Zone "C" -- La Paz County (except the Cibola Valley) and Mohave County.
- d. Zone "D" -- Pima County and the following portions of Pinal County: T10S, R10E, section 34,
35 and 36, T10S, R11E, section 31, and the Aguila area T7N, R8W and T7N, R9W and T7N,
R10W and T7N, R11W to the western boundary of section 35, 26 and 23.
- e. Zone "E" -- The following portions of La Paz County: Cibola Valley T1N, R23W and T1N,

and "E".
elimination
ner.

the field after
with no stalks
the following
Zone "B",
Zone "F",

field after the
three or more
irrigated and
Zone "B",
"F", January

Zone "B", April
15; however
planting date

of subsection
to destroy the

representative
30 of each



ARIZONA DEPARTMENT OF AGRICULTURE
P.O. BOX 234
PHOENIX AZ 85001

STATE OF ARIZONA, ex rel.
DIRECTOR,
v.

No. _____

NOTICE AND CLAIM OF LIEN

NOTICE IS HEREBY GIVEN that the State of Arizona ex rel. The DIRECTOR has and claims lien on the following described property for abatement of a nuisance o said property. Said nuisance was abated at State expense pursuant to A.R.S. § 3-205 after notice to the owner or person in charge, their name or names being, _____

The amount of the lien that the State claims and has is _____

_____ Dollars and is prior to all other liens against said property except for liens for State and County taxes. Pursuant to A.R.S. §3-205 (D.) notice is given that the amount of the said lien shall be paid within thirty (30) days from the filing of this notice, or otherwise the property will be subject to payment thereof. The description of the property against which this lien attaches is as follows: _____

DATED this _____ day of _____, 19 _____

STATE OF ARIZONA)
County of _____) ss.

DIRECTOR, being first duly sworn upon oath, deposes and says that he has read the foregoing contents and that the same is true and correct to the best of his knowledge and belief.

DATED this _____ day of _____, 19 _____

Subscribed and sworn to before me, a Notary Public, this _____ day of

_____, 19 _____.

My Commission Expires: _____

Notary Public



EXHIBIT Q

ARIZONA DEPARTMENT OF AGRICULTURE
P.O. BOX 234
PHOENIX, ARIZONA 85001

STATE OF ARIZONA, ex rel.)

KEITH KELLY, DIRECTOR)

No. _____

LIEN RELEASE

Know all men by these presents, that a certain lien now owned by the State of Arizona, ex rel., Keith Kelly, Director was executed by the State of Arizona, against _____

_____ and was filed for record in the office of the County Recorder in and for the County of _____ and the State of Arizona, on the ____ day of _____, 19____, recorded in _____ at page _____, said lien covering the following described property, to-wit:

Now, therefore, and in consideration of receipt of the sum of _____ (\$_____) Dollars, lawful money of the United States, paid to the lien-holder, State of Arizona, ex rel., Keith Kelly, Director hereby discharges and wholly releases the above-described property from the aforementioned lien.

The said State of Arizona, hereby authorizes and requests the said County Recorder to record this release of said property from the lien of said State of Arizona.

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 19____.

ARIZONA DEPARTMENT OF AGRICULTURE

Keith Kelly, Director

Subscribed and sworn to before me this ____ day of _____, 19__.

My Commission Expires: _____

Notary Public